

UNITED STATES BANKRUPTCY COURT
District of Arizona

In re: **Lawrence M. Foster III**
5529

Jill Ann Roberts

Case No. 2:09-bk-31054
Chapter 13

CHAPTER 13 PLAN

NOTICE

THIS PLAN CONTAINS EVIDENTIARY MATTER WHICH, IF NOT CONTROVERTED, MAY BE ACCEPTED BY THE COURT AS TRUE. CREDITORS CANNOT VOTE ON THIS PLAN BUT MAY OBJECT TO ITS CONFIRMATION PURSUANT TO BANKRUPTCY CODE SECTION 1324, AND LOCAL RULES. ABSENT ANY SUCH OBJECTION, THE COURT MAY CONFIRM THIS PLAN AND ACCEPT THE VALUATION AND ALLEGATIONS CONTAINED HEREIN.

The Debtors above named hereby propose the following plan.

1. DEBTS. All debts are provided for by this Plan. Only creditors holding claims duly provided and allowed shall be entitled to payments from the Trustee. (See notice of Filing of Bar Date.) Trustee shall not file a claim on behalf of any creditor.
2. PAYMENTS. As of the date of this Plan, the debtor has paid \$ 0.00 to the Trustee. Debtor and/or any entity from whom the debtor(s) receive income shall pay to the Trustee the sum of \$ 942.00 MONTHLY, commencing _____, for 60 months for a total of \$ 33,912.00 or until such amounts are paid that will afford payment of all allowed and proven claims in the amounts payable under this Plan.
3. PLAN PAYMENTS. The Trustee, from available funds, shall make payments to creditors in the following amounts and order. All dates for beginning of payments are estimates only and may be adjusted as necessary by the Trustee to carry out the terms of this Plan.

A. Debtors Attorney

Attorney	Fee Requested	Paid to Date	Balance Due	Schedule (payment/month/length)	Total
Michael Reynolds	\$1,500	\$1,500	\$0.00	\$0.00 / 60 / 0	\$1,500

B. Mortgage Arrears

Creditor	Rate	Arrears	Schedule (payment/month/length)	Total
None				

C. Secured Claims

- i. Secured Claims – Paid in Full

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Creditor	Rate	Claim	Schedule (payment/month/length)	Total
HSBC – 2001 Lexus LS 430	12.00%	\$12,000	\$0.00 / 60 months / \$12,000	\$12,000

ii. Secured Claims- Cure default only
NONE

D. PRIORITY CLAIMS. (Unsecured claims entitled to priority under 11 U.S.C. § 507 shall be paid in full as follows.)

Creditor	Priority Claim	Schedule (payment/month/length)	Total
Internal Revenue Service	\$48,000	\$0.00 / 60 months / 0	\$48,000
Arizona Dep't. of Revenue	\$8,000	\$0.00 / 60 months / 0	\$8,000

E. Separate Class of Unsecured Claims. (May include co-signed debts as provided for by 11 U.S.C. § 1301, including interest at contract rate.)
NONE

F. Unsecured Creditors. (All other creditors not scheduled above are deemed unsecured without priority and shall be paid pro rata from funds remaining after payment of the above scheduled claims. Debtor estimates the unsecured claims to total **\$43,220.21**, and proposes to provide at least **\$1,000.00** which will pay in full said creditors' claims, or in no event, provide a composition percentage of less than 0.00%.)

G. Lien Avoidance. (Debtor intends to file a motion, pursuant to Bankruptcy Rule 4003(d) to avoid all non-possessory, non-purchase money security interests and judicial liens as provided by 11 U.S.C. § 522(f), and the plan herein provides for payment of such liens as general unsecured claims only. Any creditors' claim or portion thereof not listed in Paragraph C above is to be treated as unsecured and, unless objected to, such unsecured status, for purposes of this plan, will be binding upon confirmation, but the lien shall survive unless avoided.)

H. Leases and Contracts. The Debtor hereby assumes the following unexpired leases and executory contracts, and rejects all others.
NONE

I. Miscellaneous Provisions.
NONE

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4. SECURED CLAIMS – PAID DIRECTLY BY DEBTORS. The following creditors' claims are fully secured, shall be paid directly by the debtors, and receive no payments under Paragraph 3 above:

NONE

5. FUTURE INCOME. Debtors submit all future earnings or other future income to such supervision and control of the Trustee as is necessary for the execution of this Plan.
6. STANDING TRUSTEE PERCENTAGE FEE. Pursuant to 28 U.S.C. § 586(e)(B), the Attorney General, after consultation with the United States Trustee, sets a percentage fee not to exceed ten percent of payments made to creditors by the Trustee under the terms of this Plan.

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SUMMARY AND ANALYSIS OF PLAN PAYMENTS TO BE MADE BY TRUSTEE

A. Total debt provided under the Plan and administrative expenses

1. Attorneys Fees	\$ 1,500
2. Mortgage Arrears	\$ 0
3. Secured Claims	\$ 12,000
4. Priority Claims	\$ 56,000
5. Separate Class of Unsecured Claims	\$ 0
6. All other unsecured claims	\$ 1,000
Total Payments to Above Creditors	\$ 70,500
Trustee Percentage	\$ 9,000
*TOTAL DEBTOR PAYMENTS TO THE PLAN	\$ 79,500

B. Reconciliation with Chapter 7

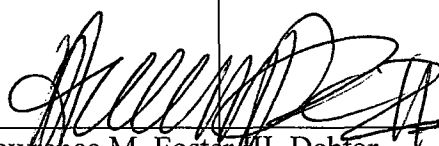
1. Interest of unsecured creditors if Ch. 7 filed	\$ 0
a. Total property of debtor	\$ 0
b. Property securing debt	\$ 0
c. Exempt property	\$ 0
d. Priority unsecured claims	\$ 0
e. Chapter 7 Trustee fee	\$ 0
f. Funds for Ch. 7 distribution (est.)	\$ 0
2. Percent of unsecured, non-priority claims paid under plan	\$ 0
3. Percent of unsecured, non-priority claims paid if Ch. 7 filed (est.)	\$ 0
*TOTAL DEBTOR PAYMENTS TO THE PLAN	\$ 0

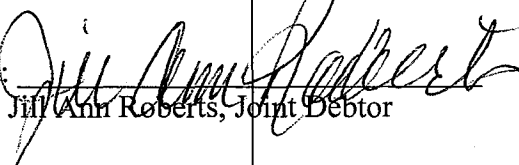
Attorney for Debtors:

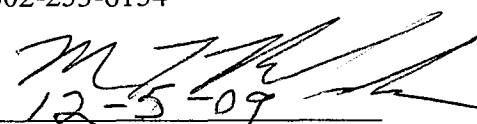
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Phone: 602-253-6141 x 203
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Signed: 
Lawrence M. Foster III, Debtor

Signed: 
Jill Ann Roberts, Joint Debtor

Signed:  Dated: 12-5-09

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LOCAL FORM 13-2 PLAN ANALYSIS

Total Debt and Administrative Expenses Provided for by the Plan

A. Debtor's Unpaid Attorney Fees	\$ 1,500
B. Priority Claims	
1. Taxes	\$ 56,000
2. Other	\$ 0
C. Payments to Cure Default	\$ 0
D. Payments on Secured Claims	\$ 12,000
E. Payments on Other Class	\$ 0
F. Payments on General Unsecured Claims	\$ 1,000
G. Subtotal	\$ 70,500
H. Trustee's Compensation (4% of debtor's payments)	\$ 9,000
I. TOTAL AMOUNT OF PLAN PAYMENTS	\$ 79,500